

PREVAILED

Roll Call No. _____

FAILED

Ayes _____

WITHDRAWN

Noes _____

RULED OUT OF ORDER

HOUSE MOTION _____

MR. SPEAKER:

I move that House Bill 1554 be amended to read as follows:

- 1 Delete the title and insert the following:
- 2 A BILL FOR AN ACT to amend the Indiana Code concerning state
- 3 and local administration and to make an appropriation.
- 4 Page 1, between the enacting clause and line 1, begin a new
- 5 paragraph and insert:
- 6 "SECTION 1. IC 4-4-32.2 IS ADDED TO THE INDIANA CODE
- 7 AS A NEW CHAPTER TO READ AS FOLLOWS [EFFECTIVE
- 8 JULY 1, 2009]:
- 9 **Chapter 32.2. Alternative Fuel Fueling Station Grant Program**
- 10 **Sec. 1. As used in this chapter, "alternative fuel" means**
- 11 **liquefied petroleum gas, a compressed natural gas product, or a**
- 12 **combination of liquefied petroleum gas and a compressed natural**
- 13 **gas product, not including a biodiesel fuel or biodiesel blend, used**
- 14 **in an internal combustion engine or a motor to propel a motor**
- 15 **vehicle. The term includes all forms of fuel commonly or**
- 16 **commercially known or sold as butane, propane, or compressed**
- 17 **natural gas.**
- 18 **Sec. 2. As used in this chapter, "alternative fuel compatible",**
- 19 **with respect to a fueling station, means capable of storing and**
- 20 **delivering alternative fuel in conformance with any governmental**
- 21 **or other nationally recognized standards that apply to the storage**
- 22 **and handling of alternative fuel, as determined under standards**
- 23 **adopted by the office under section 12(1) of this chapter.**
- 24 **Sec. 3. As used in this chapter, "fueling station" refers to**

1 tangible property (other than a building and its structural
2 components) that:

3 (1) consists of:

4 (A) a tank or other storage unit;

5 (B) a pump or other dispensing equipment; and

6 (C) other components; and

7 (2) is used by:

8 (A) a person engaged in the business of selling motor fuel
9 at retail, to enable motor fuel to be dispensed directly into
10 the fuel tank of a customer's motor vehicle;

11 (B) a person engaged in a business, other than a business
12 described in clause (A), to enable motor fuel to be
13 dispensed directly into the fuel tank of a motor vehicle, if
14 the fueling station is accessible to members of the public;
15 or

16 (C) a unit to enable motor fuel to be dispensed directly into
17 the fuel tank of a motor vehicle, regardless of whether the
18 fueling station is accessible to members of the public.

19 Sec. 4. As used in this chapter, "location" refers to one (1) or
20 more parcels of land that:

21 (1) have a common access to a public highway; and

22 (2) are or would appear to the reasonable person making an
23 observation from a public highway to be part of the same
24 business.

25 Sec. 5. (a) As used in this chapter, "motor fuel" has the meaning
26 set forth in IC 6-6-4.1-1(g).

27 (b) The term includes alternative fuel.

28 Sec. 6. As used in this chapter, "motor vehicle" has the meaning
29 set forth in IC 15-11-11-4.

30 Sec. 7. As used in this chapter, "office" refers to the office of
31 energy and defense development.

32 Sec. 8. As used in this chapter, "qualified investment" refers to
33 an ordinary and usual expense that is incurred after June 30, 2009,
34 to purchase any part of an alternative fuel compatible fueling
35 station for the purpose of:

36 (1) installing a new alternative fuel compatible fueling station
37 at a location on which a fueling station is not located; or

38 (2) replacing an existing fueling station that is not an
39 alternative fuel compatible fueling station with a fueling
40 station that is an alternative fuel compatible fueling station.

41 Sec. 9. As used in this chapter, "unit" means a county, city,
42 town, township, or school corporation.

43 Sec. 10. (a) Subject to subsections (b) and (c), the office may
44 award a grant under this chapter to a person or unit that:

45 (1) makes a qualified investment; and

46 (2) places the alternative fuel compatible fueling station for
47 which the qualified investment was made into service;

1 in Indiana for the dispensing of alternative fuel into the fuel tanks
2 of motor vehicles.

3 (b) A recipient of a grant awarded under this chapter must
4 comply with any guidelines developed by the office in connection
5 with grants awarded under this chapter.

6 (c) The office may not award more than one (1) grant under this
7 chapter for a single location.

8 Sec. 11. (a) Subject to subsection (b) and section 13 of this
9 chapter, the office shall determine the amount of each grant
10 awarded under this chapter.

11 (b) The amount of a grant awarded under this chapter for a
12 location may not exceed the lesser of the following:

13 (1) The amount of the grant recipient's qualified investment
14 for the location.

15 (2) Twenty thousand dollars (\$20,000).

16 (c) The amount of a grant awarded under this chapter for a
17 location may be less than the amount of the grant recipient's
18 qualified investment for the location.

19 Sec. 12. The office shall do the following:

20 (1) Adopt guidelines to determine standards for awarding
21 grants under this chapter, including standards for
22 determining whether a fueling station complies with
23 applicable governmental or other nationally recognized
24 standards that apply to the storage and handling of
25 alternative fuel.

26 (2) Prepare and supervise the issuance of public information
27 concerning the grant program established under this chapter.

28 (3) Prescribe the form for and regulate the submission of
29 applications for grants under this chapter.

30 (4) Determine an applicant's eligibility for a grant under this
31 chapter.

32 Sec. 13. The total amount of grants awarded under this chapter
33 for all state fiscal years may not exceed one million dollars
34 (\$1,000,000).

35 Sec. 14. (a) The alternative fuel fueling station grant fund is
36 established to provide grants under this chapter. The fund shall be
37 administered by the office.

38 (b) The fund consists of:

39 (1) money appropriated to the fund by the general assembly;

40 (2) money received from state or federal grants or programs
41 for alternative fuels projects; and

42 (3) donations, gifts, and money received from any other
43 source, including transfers from other funds or accounts.

44 (c) The treasurer of state shall invest the money in the fund not
45 currently needed to meet the obligations of the fund in the same
46 manner as other public funds may be invested.

47 (d) Money in the fund at the end of a state fiscal year does not

revert to the state general fund but remains in the fund to be used exclusively for purposes of this chapter.

(e) Money in the fund is continuously appropriated for the purposes of this chapter.

Sec. 15. A grant awarded under this chapter is not subject to taxation under IC 6-3-1 through IC 6-3-7.

Sec. 16. A grant awarded under this chapter does not reduce the basis of the qualified property for purposes of determining any gain or loss on the property when the grant recipient disposes of the property.

SECTION 2. IC 4-4-32.3 IS ADDED TO THE INDIANA CODE AS A NEW CHAPTER TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2009]:

Chapter 32.3. Alternative Fuel Vehicle Grant Program for Local Units

Sec. 1. As used in this chapter, "alternative fuel" means liquefied petroleum gas, a compressed natural gas product, or a combination of liquefied petroleum gas and a compressed natural gas product, not including a biodiesel fuel or biodiesel blend, used in an internal combustion engine or a motor to propel a motor vehicle (as defined in IC 15-11-11-4). The term includes all forms of fuel commonly or commercially known or sold as butane, propane, or compressed natural gas.

Sec. 2. As used in this chapter, "alternative fuel conversion kit" means any equipment used to convert a motor vehicle (as defined in IC 15-11-11-4) that is not an alternative fuel vehicle into an alternative fuel vehicle, in conformance with any applicable governmental or other nationally recognized safety or design standards, as determined under standards adopted by the office under section 8(1) of this chapter.

Sec. 3. As used in this chapter, "alternative fuel vehicle" means any motor vehicle (as defined in 15-11-11-4) that is designed to operate:

- (1) on alternative fuel alone; or
 - (2) on alternative fuel alternately with another fuel source;
- in conformance with any applicable governmental or other nationally recognized safety or design standards, as determined under standards adopted by the office under section 8(1) of this chapter.

Sec. 4. As used in this chapter, "office" refers to the office of energy and defense development.

Sec. 5. As used in this chapter, "qualified purchase" refers to the purchase by a unit after June 30, 2009, of any of the following:

- (1) One (1) or more alternative fuel vehicles.
- (2) One (1) or more alternative fuel conversion kits, including any installation costs.

Sec. 6. As used in this chapter, "unit" means a county, city,

town, township, or school corporation.

Sec. 7. (a) Subject to subsections (d) and (e), the office may award a grant under this chapter to a unit that makes a qualified purchase.

(b) Subject to subsection (c) and section 9 of this chapter, the amount of a grant that may be awarded under this chapter to a unit equals the amount determined under STEP FOUR of the following formula:

STEP ONE: Determine the product of:

(A) two thousand dollars (\$2,000); multiplied by

(B) the number of alternative fuel vehicles purchased by the unit.

STEP TWO: For each alternative fuel conversion kit purchased by the unit, determine the lesser of:

(A) two thousand dollars (\$2,000); or

(B) the actual cost of the alternative fuel conversion kit.

STEP THREE: Determine the sum of all amounts determined under STEP TWO.

STEP FOUR: Add the amounts determined under STEPS ONE and THREE.

(c) In the guidelines adopted by the office under section 8(1) of this chapter, the office may limit the:

(1) number of alternative fuel vehicles; or

(2) number of alternative fuel conversion kits;

for which a unit may receive a grant under this chapter.

(d) A recipient of a grant awarded under this chapter must comply with any guidelines developed by the office in connection with grants awarded under this chapter.

(e) The office may not award more than one (1) grant under this chapter to any one (1) unit.

Sec. 8. The office shall do the following:

(1) Adopt guidelines to determine standards for awarding grants under this chapter, including standards for determining whether an alternative fuel vehicle or an alternative fuel conversion kit complies with applicable governmental or other nationally recognized standards.

(2) Prepare and supervise the issuance of information to units concerning the grant program established under this chapter.

(3) Prescribe the form for and regulate the submission of applications for grants under this chapter.

(4) Determine an applicant's eligibility for a grant under this chapter.

Sec. 9. The total amount of grants awarded under this chapter for all units may not exceed one million dollars (\$1,000,000).

Sec. 10. (a) The local unit alternative fuel vehicle grant fund is established to provide grants under this chapter. The fund shall be administered by the office.

- 1 **(b) The fund consists of:**
2 **(1) money appropriated to the fund by the general assembly;**
3 **(2) money received from state or federal grants or programs**
4 **for alternative fuels projects; and**
5 **(3) donations, gifts, and money received from any other**
6 **source, including transfers from other funds or accounts.**
7 **(c) The treasurer of state shall invest the money in the fund not**
8 **currently needed to meet the obligations of the fund in the same**
9 **manner as other public funds may be invested.**
10 **(d) Money in the fund at the end of a state fiscal year does not**
11 **revert to the state general fund but remains in the fund to be used**
12 **exclusively for purposes of this chapter.**
13 **(e) Money in the fund is continuously appropriated for the**
14 **purposes of this chapter."**
15 Renumber all SECTIONS consecutively.
 (Reference is to HB 1554 as introduced.)

Representative Koch